

Elizabeth L. Deeley (SBN 230790)
 elizabeth.deeley@kirkland.com
 KIRKLAND & ELLIS LLP
 555 California Street
 San Francisco, California 94104
 Telephone: (415) 439-1400
 Facsimile: (415) 439-1500

Gregg F. LoCascio, P.C. (admitted *pro hac vice*)
 glocascio@kirkland.com
 Jonathan D. Brightbill (admitted *pro hac vice*)
 jbrightbill@kirkland.com
 Dennis J. Abdelnour (admitted *pro hac vice*)
 dabelnour@kirkland.com
 KIRKLAND & ELLIS LLP
 655 Fifteenth Street, N.W.
 Washington, D.C. 20005
 Telephone: (202) 879-5000
 Facsimile: (202) 879-5200

Attorneys for Defendant
 ZONEPERFECT NUTRITION COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KIMBERLY S. SETHAVANISH,

Plaintiff,

vs.

ZONEPERFECT NUTRITION COMPANY,

Defendant.

) CASE NO. 12-CV-02907-SC

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER FOR THE FILING OF AN**
) **AMENDED ANSWER**

WHEREAS, on January 24, 2013, the Defendant submitted an Answer to the Plaintiff's Complaint in this case (Dkt. No. 45);

WHEREAS, on February 14, 2013, the Plaintiff moved to strike certain of the affirmative defenses included in the Defendant's Answer (Dkt. No. 52); and

WHEREAS, instead of briefing and a possible hearing on the pending motion, without

1 waiver of its rights, Defendant is willing to submit an Amended Answer pleading additional matter
 2 in conjunction with its affirmative defenses; and

3 WHEREAS, the Parties agree that this might more effectively and efficiently resolve the
 4 Plaintiff's concerns or at least narrow the issues that require Court intervention and therefore would
 5 better conserve the limited judicial resources of the Court.

6 IT IS HEREBY STIPULATED AND AGREED that, in accordance with Fed. R. Civ. P.
 7 15(a)(2), the Defendant shall have until March 11, 2013 to file an Amended Answer to Plaintiff's
 8 Complaint. Plaintiff shall reserve the right until April 5, 2013 to file a Motion to Strike Defendant's
 9 Amended Answer and Affirmative Defenses if Plaintiff deems necessary or appropriate to do so.
 10 Defendant further reserves the right to oppose Plaintiff's motion to strike, if one is filed, on any and
 11 all grounds currently available.

12
 13 IT IS SO STIPULATED.

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 16 KIRKLAND & ELLIS LLP

17 DATED: February 22, 2013

By: /s/ Jonathan D. Brightbill

18 Jonathan D. Brightbill¹ (admitted *pro hac vice*)
 19 Gregg F. LoCascio, P.C. (admitted *pro hac vice*)
 Elizabeth L. Deeley
 20 Dennis J. Abdelnour (admitted *pro hac vice*)

21 *Attorneys for Defendant*
 ZONEPERFECT NUTRITION COMPANY

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 27 ¹ I, Jonathan D. Brightbill, am the ECF user whose ID and password are being used to file this
 28 Stipulation to Extend the Deadline for Defendant to File and Answer. In compliance with Civil L.R.
 5.1(i)(3), I hereby attest that the following attorney has concurred in this filing: Joseph N. Kravec, Jr.
 Attorney for Plaintiff Kimberly S. Sethavanish.

STEMBER FEINSTEIN DOYLE PAYNE &
KRAVEC, LLC

DATED: February 22, 2013

By: /s/ Joseph N. Kravec, Jr.

Joseph N. Kravec, Jr. (admitted *pro hac vice*)

Attorney for Plaintiff
KIMBERLY S. SETHAVANISH

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: February 25, 2013


The Honorable Samuel Conti